IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY,9TH DYA OF MARCH 2007/ 18TH PHALGUNA 1928

Crl.Rev.Pet.No. 884 of 2007(E)

CRL.A.NO. 148/2003 OF THE ADDL.SESSIONS COURT (FAST TRACK COURT NO.III, PALAKKAD
S.T.C.NO.155/1999 OF THE CHIEF JUDICIAL MAGISTRATE, PALAKKAD.

REVN. PETITIONER:

K.T. RAJESWARI, W/O. SANKARANARAYANAN,
RESIDING AT 2/500, GREESHMA
SURYA NAGAR, DHONI P.O. PALAKKAD.

BY ADV. SRI.V.CHITAMBARESH

RESPONDENTS:
----
1. THE STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKKULAM.

2. THE KERALA STATE CO-OPERATIVE BANKK LIMITED, REPRESENTED BY ITS MANAGER, PALAKKAD BRANCH, NOORANI, PALAKKAD.

BY PUBLIC PROSECUTORMR. BREEZE

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/03/2007, THE COURT ON 27/02/2007 PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.884 of 2007

DATED THIS THE 9TH DAY OF MARCH 2007

ORDER

The revision petitioner is the accused who stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one month and to pay a compensation of Rs.33,600/- to the complainant under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for a further period of 15 days. It is submitted by the respondent/complainant that the amount has already been paid. In the circumstances, the sentence is modified to pay a fine of Rs.33,600/- and in default to undergo simple imprisonment for 15 days and the fine amount to be paid to the complainant. The amount paid will be treated as fine remitted.

The revision petition is allowed and the accused is acquitted.

K.R.UDAYABHANU, JUDGE

ks.